

5911. Adulteration and misbranding of apple juice. U. S. * * * v. Brocton Fruit Products Co., a corporation. Plea of nolo contendere. Fine, \$25. (F. & D. No. 7803. I. S. No. 12120-L.)

On February 16, 1917, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Brocton Fruit Products Co., a corporation, Brocton, N. Y., alleging shipment by said company, in violation of the Food and Drugs Act, on or about December 21, 1915, from the State of New York into the State of Missouri, of a quantity of an article labeled in part, "Apple Juice," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Bottles -----	No. 1.	No. 2.	No. 3.	No. 4.
Nonsugar solids (grams per 100 cc) --	1.31	1.37	1.29	1.30
Reducing sugar direct as invert (grams per 100 cc) -----	2.95	3.24	3.49	3.58
Reducing sugar after inversion as invert (grams per 100 cc) -----	9.12	9.09	9.06	9.10
Sucrose (by copper) (grams per 100 cc)	5.86	5.56	5.29	5.24
Total sugars (grams per 100 cc) -----	8.81	8.80	8.78	8.82
Ash in nonsugar solids (per cent) ----	10.0	9.5	10.0	10.7

The results of analysis show that the product is a fermented apple juice which has been diluted and sweetened with sugar.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, a fermented apple juice which had been diluted and sweetened, had been substituted in whole or in part for pure apple juice, which the article purported to be.

Misbranding was alleged for the reason that the statement borne on the label attached to the bottle containing the article, regarding it and the ingredients and substances contained therein, to wit, "Apple Juice," was false and misleading in that it represented that said article was pure apple juice, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was pure apple juice, whereas, in truth and in fact, it was not, but was a product composed in whole or in part of fermented apple juice which had been diluted and sweetened.

On November 27, 1917, the defendant company entered a plea of nolo contendere to the information, and the court imposed a fine of \$25.

C. F. MARVIN, *Acting Secretary of Agriculture.*